

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7674

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

HERMAN LEE TATE,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (CR-98-125-9-V)

Submitted: January 16, 2003

Decided: January 27, 2003

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Herman Lee Tate, Appellant Pro Se. Brian Steven Cromwell, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Herman Lee Tate appeals the district court's order denying his petition for a writ of mandamus. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See United States v. Tate, No. CR-98-125-9-V (W.D.N.C. filed Sept. 25, 2002; entered Oct. 2, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED